

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Kevin Darrell Smith

Docket No. 5:21-CR-62-1M

Petition for Action on Supervised Release

COMES NOW Jay Kellum, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Kevin Darrell Smith, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With the Intent to Distribute 50 Grams or More of Methamphetamine, in violation of 21 U.S.C. §§ 846 and 841(a)(1) and Distribution of a Quantity of a Mixture Containing Methamphetamine, in violation of 21 U.S.C. § 841(a)(1), was sentenced by the Honorable Richard E. Myers II, Chief United States District Judge, on January 25, 2023, to the custody of the Bureau of Prisons for a term of 48 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Kevin Darrell Smith was released from custody on July 21, 2023, at which time the term of supervised release commenced.

A Petition for Action on Supervised Release was submitted to the Court after the defendant tested positive for methamphetamine and fentanyl. On December 19, 2024, the Court approved the petition requiring Smith to participate in the Location Monitoring: Radio Frequency curfew program for a period not to exceed 90 days.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On December 31, 2024, Smith submitted to a urinalysis which tested positive for methamphetamine, cocaine, and morphine. When confronted with the results, Smith admitted to using the substances. Smith was reprimanded for the violation conduct and expressed remorse. Smith recently re-engaged with his treatment provider and has started an approved course of substance abuse treatment. As a result of Smith's violation conduct, it is respectfully recommended that Smith participate in Moral Recognition Therapy through Coastal Horizons Center in Wilmington, North Carolina, which will increase his likelihood of success on supervision. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ C. Lee Meeks, Jr.
C. Lee Meeks, Jr.
Supervising U.S. Probation Officer

/s/ Jay Kellum
Jay Kellum
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-346-5109
Executed On: January 10, 2025

ORDER OF THE COURT

Considered and ordered this 13th day of January, 2025, and ordered filed and
made a part of the records in the above case.

Richard E. Myers II
Richard E. Myers II
Chief United States District Judge